

The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1254

Zoning Change #131

No. 215 AN ORDINANCE IN AMENDMENT OF CHAPTER 544 OF THE ORDINANCES OF THE CITY OF PROVIDENCE, APPROVED SEPTEMBER 21, 1951, AS HERETOFORE AMENDED, IS HEREBY FURTHER AMENDED BY CHANGING FROM AN R-2 TWO-FAMILY ZONE TO A C-1 LIMITED COMMERCIAL ZONE LOTS 415, 572 and 571 ON ASSESSOR'S PLAT 97; SAID LOTS BEING SITUATED AT THE NORTHWESTERLY CORNER OF CHARLES STREET AND LEO AVENUE AND THE WESTERLY SIDE OF CHARLES STREET AND THE NORTHERLY SIDE OF LEO AVENUE.

Approved March 20, 1959

Be it ordained by the City of Providence:

Section 1. The Zoning Map accompanying and made a part of Chapter 544 of the Ordinances of the City of Providence, approved September 21, 1951, as heretofore amended, and entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations", is hereby further amended by changing from an R-2 Two-Family Zone to a C-1 Limited Commercial Zone Lots 415, 572 and 571 on Assessor's Plat 97; said lots being situated at the northwesterly corner of Charles Street and Leo Avenue and the westerly side of Charles Street and the northerly side of Leo Avenue, bounded and described as follows:

Beginning at the northwesterly corner of Charles Street and Leo Avenue; thence westerly along the northerly line of Leo Avenue to the southeasterly corner of Lot 576 on Assessor's Plat 97; thence in a general northeasterly direction along the general southeasterly line of Lot 576 to the westerly line of Charles Street; thence southerly along westerly line of Charles Street to the northwesterly corner of Charles Street and Leo Avenue and the point and place of beginning.

Sec. 2. This Ordinance shall take effect upon its passage.

**IN CITY
COUNCIL**

MAR 5 - 1959

FIRST READING
READ AND PASSED

Deverett Whelan
CLERK

APPROVED

MAR 20 1959

W. H. Reynolds
MAYOR

**IN CITY
COUNCIL**

MAR 19 1959

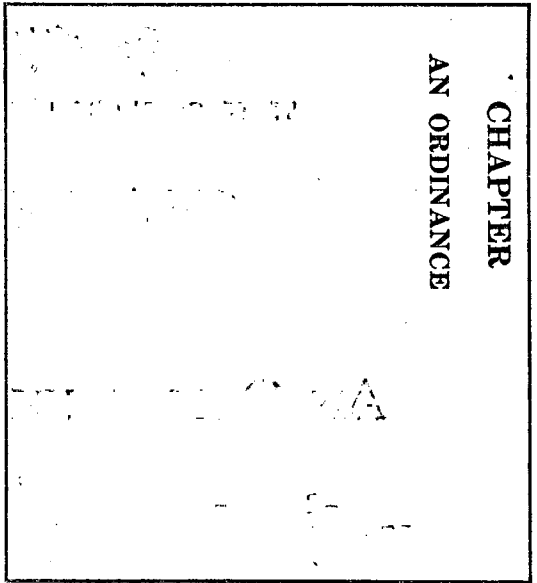
FINAL READING
READ AND PASSED

Edward P. Quigley
PRESIDENT
Deverett Whelan
CLERK

No.

CHAPTER

AN ORDINANCE



It is ordered by the City of Providence:

IN CITY
ORDINANCE
MAR 1 9 1850
FIVE ALL RIGHTS
READ AND PASSED

PRESIDENT
CLERK

IN CITY
ORDINANCE
MAR 2 9 1850
FIVE ALL RIGHTS
READ AND PASSED
CLERK

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petition your honorable body

To amend the Zoning Map which is part of the Zoning Ordinance of the City of Providence by changing from an R-2 Two-family Zone to a C-1 Limited Commercial Zone. Lots 415, 572 and 571 on Assessor's Plat 97. Said lots being situated at the northwesterly corner of Charles Street and Leo Avenue and the westerly side of Charles Street and the northerly side of Leo Avenue.

Samuel C. Cunniff

John De Acute
Libra De Acute

PAID—City of Providence - James M. Gordon, City Collector

JAN--6-59	0 2 2	---BN4	0.00
JAN--6-59	0 2 2	---BN4	0.00

FILED
JAN 5 3 18 PM '59
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

IN CITY
COUNCIL

JAN 15 1959

FINDING
REFERRED TO COMMITTEE ON
ORDINANCES
.....
The undersigned
GREEN

Mayor Cullen & City Clerk (by request)

1-2-58

10.00 CITY COUNCIL Jan. 5 1959
DATE

RECEIVED OF ~~Gerald Currier~~ John DeAcutis and Libra DeAcutis

TEN AND 00/100 DOLLARS

Fee for Petition to the City Council for a change in the Zoning of

Lot 415, 571 and 572 Plat 97 (northwesterly corner of Charles St. and Lee Ave. and the westerly side of Charles St. and the northerly side of Lee Ave.)

\$10.00

V. Vespia

1/6/58

John De Aquino

Re: - Going item spoken of -
"John DeLuca" He would like to have same
put in for next meeting.

CEL

11:54 PM

The City of Providence — Legislative Department

CITY CLERK'S OFFICE—OFFICIAL MEMORANDUM

Providence, R. I., January 16, 1958

TO: City Plan Commission

SUBJECT: Zoning change - Charles St & Leo Avenue - Gerald Curreri

CONSIDERED BY: Committee on Ordinances

ACTION TAKEN: **VOTED:** To refer for study, report and recommendation
attached petition.

City Clerk

Petition of Gerald Curreri, et al, Charles and Leo Avenue...

Plat 97

Lots

- 415 John L. Deacutis, & wf. Libera
58 Russo Street
- 572 Gerald J. Curreri, & wf. Katherine
212 High Service Ave., No. Prov.,
- 571 John L. Deacutis, & wf. Libera
58 Russb Street
- 576 City of Providence,
- 575 Mary G. Fuoroli
4 Angelo Ave., No. Prov.,
- 579 same as above 58
- 581 same as above
- 558 Pasquala Latina & Virginia Latina
55 Leo Avenue
- 522 City of Providence
- 569 Antonio Lobello estate & wid. Margherita
828 Charles Street
- 570 Carmine D' Uva & wf. Belinda $\frac{1}{2}$
834 Charles Street
- 633 Antonio Luminello
831 Charles Street
- 635 Antonio Vani
837 Charles Street
- 636 Henry Palumbo & wf. Amelia
845 Charles Street
- 637 same as above
- 638 Theresa Santanie1lo
847 Charles Street,



City Plan Commission

EDWARD WINSOR, *Chairman*
JERRY LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
RAYMOND J. NOTTAGE HARRY PINKERSON

FRANK H. MALLEY, *Director*
DIETER HAMMERSCHLAG, *Senior Planner*
ANTHONY A. VERRECCHIA, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

February 12, 1959

Committee on Ordinances
City Hall
Providence, Rhode Island

SUBJECT: Referral No. 1060 - ZONING CHANGE AT CHARLES STREET AND LEO AVENUE

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, February 10, 1959.

This referral is a request for a change in zoning from an R-2 Zone to a C-1 Zone Lots 415, 572 and 571 on Assessor's Plat 97 located on the corner of Leo Avenue and Charles Street.

Reference is made to Referral No. 925, from the Committee on Ordinances, dated September 11, 1957 at which time a similar request for a similar change in zoning was made. The City Plan Commission at that time recommended denial.

On the field trip it was found that the area in question is occupied by a one-family dwelling and two vacant lots, and is surrounded exclusively by residential properties.

There is more than ample commercial zoning in this area especially along Charles Street. No additional commercial zoning in this area is warranted and the proposed change would adversely affect the surrounding properties. Also, this change would create a new case of spot zoning. Therefore,

The Commission

VOTED: To recommend that this petition be denied.

Very truly yours,

FRANK H. MALLEY
DIRECTOR
CITY PLAN COMMISSION

FHM:MMH

c.c. Councilman Angelo Aiello
Councilman Joseph F. Prete

FILED

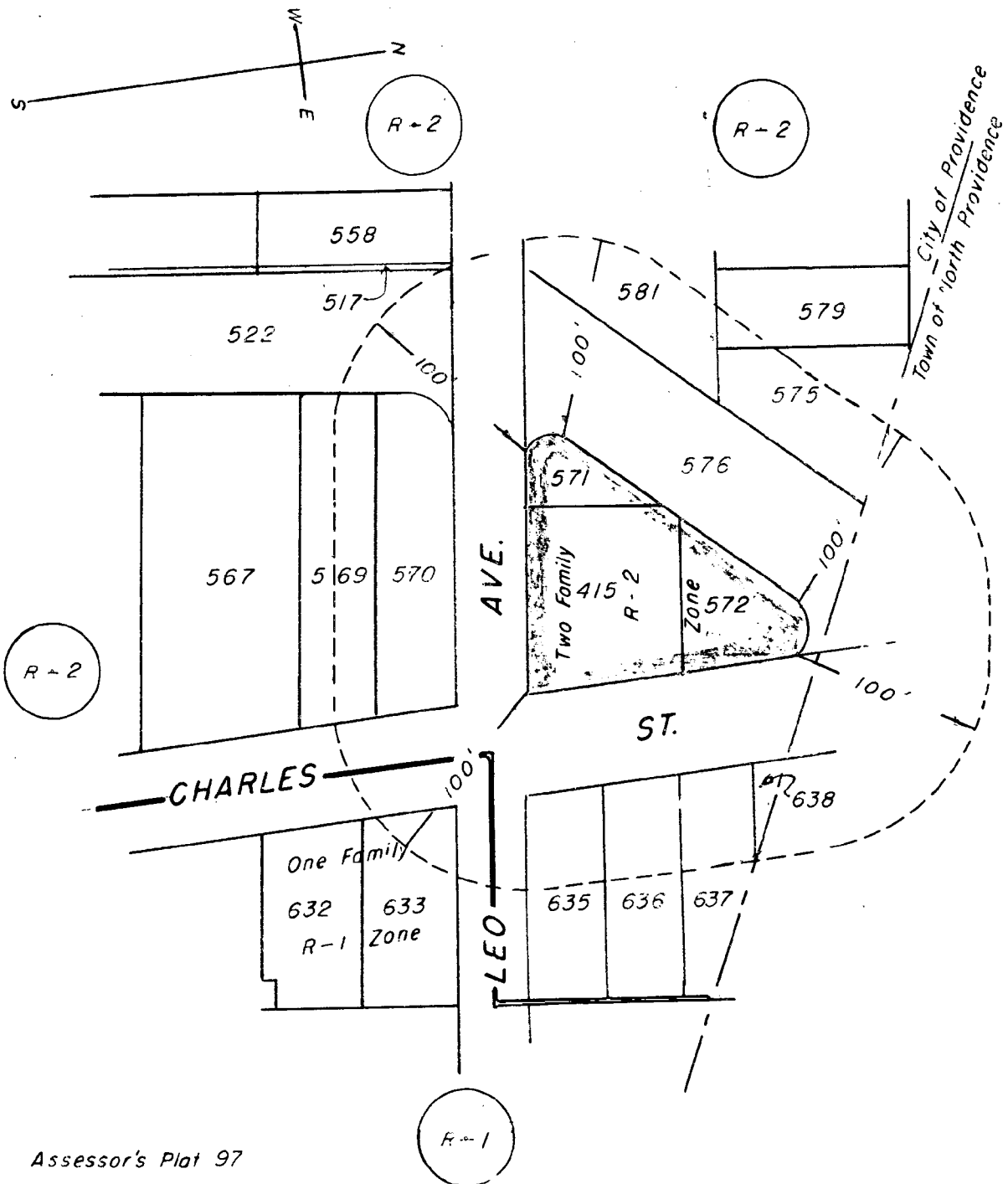
FEB 13 12 14 PM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

Zoning Change No.

Shaded area to be changed from an R-2 Two Family Zone to a C-1 Limited Commercial Zone.

February 2, 1959



Zoning Change No.

Toppi
1" = 80' EAX.
2-2-59

[Handwritten signature]

March 2nd, 1959

The Honorable City Council
City of Providence
City Hall
Providence, R.I.


In Re: Petition of DeAcutis Bakery -60 Russo St.,
Providence, R.I. for zoning change on
Charles St., Prov. R.I.

Gentlemen:

I, Dr. Gerald Curreri, the undersigned, hereby wish to make known to you that I am not a petitioner nor a party directly in interest in the above petition scheduled for hearing before you Thursday, March 5, 1959. I merely signed my name to said petition intending only to acquiesce in the action of DeAcutis Bakery. The parties responsible have persisted in advertising this petition with my name in full print in the caption. This action has caused me considerable embarrassment among my friends, neighbors and patients.

If I am to be considered a petitioner I hereby request that my name be cancelled and withdrawn from said petition and I wish my position to be recorded as neither objecting nor assenting to any action taken thereon.

Yours truly,



Dr. Gerald Curreri

FILED

MAR 4 11 26 AM '59

CITY CLERK'S OFFICE
PROVIDENCE, R. I.

March 2nd, 1959

The Honorable City Council
City of Providence
City Hall
Providence, R.I.

In Re: Petition of DeAcutis Bakery -60 Russo St.,
Providence, R.I. for zoning change on
Charles St., Prov. R.I.

Gentlemen:

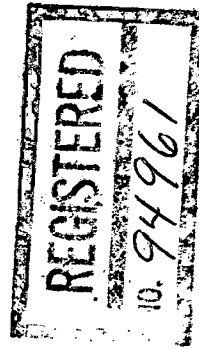
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If I am to be considered a petitioner I hereby request that my name be cancelled and withdrawn from said petition and I wish my position to be recorded as neither objecting nor assenting to any action taken thereon.

Yours truly,

Dr. Gerald Curreri
Dr. Gerald Curreri

GERALD J. CURRERI, M. D.
825 CHARLES STREET
PROVIDENCE 4, RHODE ISLAND



RETURN RECEIPT REQUESTED

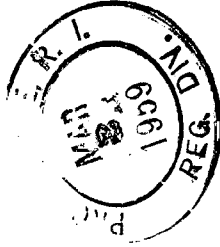


*The Honorable City Council,
City of Providence
City Hall,
Prov. R.I.*

FILED

MAR 4 10 20 AM '59

CITY CLERK'S OFFICE
PROVIDENCE, R.I.



THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 216

Approved March 20, 1959

Resolved,

That the sum of Twelve Hundred (\$1,200) Dollars is hereby ordered transferred by the Board of Commissioners of Sinking Funds from the "FIRE INSURANCE FUND" established by Section 38 of Chapter 2 of the Revised Ordinances of 1946, entitled, "FIRE INSURANCE FUND", to the account in the Capital Fund known as, "CLASSICAL HIGH SCHOOL FIRE DAMAGE FUND".

Said sum or so much thereof as may be necessary shall be expended for the purchase of books to replace some of those damaged by recent fire.

Any balance remaining in this fund after paying for said books shall revert to the "FIRE INSURANCE FUND".

IN CITY COUNCIL

MAR 19 1959

READ and PASSED

Edward P. Dugan
President
Deverette W. Belan
Clerk

APPROVED

MAR 20 1959

Walter H. Kennedy
Mayor

RESOLUTION
OF THE
CITY COUNCIL

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 217

FDM:RAF

Approved March 20, 1959

Resolved,

That the City Solicitor is hereby directed to apply to the 1959 General Assembly, and urge passage of an amendment to Chapter 6, Title 37, of the General Laws, Rhode Island, 1956, entitled "Public Property and Works", by adding thereto a section providing for the immediate payment of compensation and expediting proceedings, substantially in accordance with the accompanying draft Act.

IN CITY COUNCIL

MAR 19 1959

READ and PASSED

Edward W. Quigley
President
Deborah H. Han
Clerk

APPROVED

MAR 20 1959

Walter H. Fagnano
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

DIRECTING THE CITY
SOLICITOR TO APPLY TO THE
1959 GENERAL ASSEMBLY AND
URGE PASSAGE OF AMENDMENT
TO TITLE 37, CHAPTER 6
OF THE GENERAL LAWS,
RHODE ISLAND, 1956.

*(Councilman
Shepley)*

FILED
MAR 2 2 27 PM '59
CITY CLERK'S OFFICE
PROVIDENCE, R.I.

IN GENERAL ASSEMBLY

January Session, A. D. 19 59.

AN ACT

AMENDING CHAPTER 6, TITLE 37 OF THE GENERAL LAWS, RHODE ISLAND, 1956, ENTITLED "PUBLIC PROPERTY AND WORKS", BY ADDING THERETO A SECTION PROVIDING FOR THE IMMEDIATE PAYMENT OF COMPENSATION AND EXPEDITING PROCEEDINGS.

It is enacted by the General Assembly as follows:

SECTION 1: Chapter 6 of Title 37 of the General Laws, Rhode Island, 1956, entitled "Public Property and Works" is hereby amended by adding the following section:

"37-6-23: IMMEDIATE PAYMENT OF COMPENSATION--EXPEDITING PROCEEDINGS.--
In any proceedings for the assessment of damages for real property so taken by the acquiring authority, the following provisions shall be applicable:

(a) Upon the application of any party in interest and upon joinder of all other parties in interest, the court, on such conditions as it may deem proper, may order that the money or any part thereof, be paid forthwith without interest for or on account of the just compensation to be awarded in said proceeding. If the damages finally awarded in respect to said real property, or any part thereof, shall exceed the amount of the money so received by any person entitled thereto, the court shall enter judgment for the amount of the deficiency plus interest on the deficiency and costs. If the judgment entered is less than the amount paid, then and in that event judgment shall be entered for the Acquiring authority for the difference between the amount withdrawn and the amount of the judgment plus interest on the overpayment and costs.

(b) At any time during the pendency of such action or proceeding, the acquiring authority or any owner may apply to the court for an order directing an owner or the acquiring authority, as the case may be, to show cause why further proceedings should not be expedited, and the court may upon application make an order requiring that the hearings proceed and that any other steps be taken with all possible expedition."

SEC. 2. The present Section 37-6-23, relating to "PAYMENT OF JUDGMENT" and Sections 37-6-24 and 37-6-25, shall be renumbered as Sections 37-6-24, 37-6-25 and 37-6-26.

SEC. 3. This Act shall take effect upon its passage, and all acts or parts of acts inconsistent herewith are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 218

Approved March 20, 1959

Resolved,

That the City Council hereby endorses the principals of Historic Area Zoning and does hereby further request the General Assembly to enact permissive legislation therefor.

IN CITY COUNCIL

MAR 19 1959

READ and PASSED

Edward P. Dwyer
President
Dwight W. Thayer
Clerk

APPROVED

MAR 20 1959

Walter H. Reynolds
MAYOR

RESOLUTION
OF THE
CITY COUNCIL